

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SPECIAL PROCESSING SUBMISSION  
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty Dkt. 1579-579

C# M#

NAIR et al

TC/A.U.

1632

Serial No. 09/875,264

Examiner: Wilson, M.

Filed: June 7, 2001

Date: November 23, 2005

Title: METHODS FOR TREATING CANCERS AND PATHOGEN INFECTIONS USING  
ANTIGEN-PRESENTING CELLS LOADED WITH RNA

FAX RECEIVED

NOV 23 2005

OFFICE OF PETITIONS

## Mail Stop 313(c)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(2)**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)  
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)  
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)  
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: Petitioner Fee Under 37 CFR 1.17(h) (Code 1464) \$ 130.00

**TOTAL FEE (CREDIT CARD PAYMENT FORM ATTACHED) \$ 130.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor  
Arlington, Virginia 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJW:tat

NIXON &amp; VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32955

Signature: 

11/29/2005 AKELLEY 00000012 09875264

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130.00 OP

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****FAX RECEIVED**

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**OFFICE OF PETITIONS**

In re Patent Application of

Allowed: May 13, 2005

NAIR et al

Atty. Ref.: 1579-579; Confirmation No. 5191

Appl. No. 09/875,264

TC/A.U. 1632

Filed: June 7, 2001

Examiner: Wilson, M.

For: METHODS FOR TREATING CANCERS AND PATHOGEN INFECTIONS USING  
ANTIGEN-PRESENTING CELLS LOADED WITH RNA

\* \* \* \* \*

November 23, 2005

Mail Stop 313(c) – Special Processing Submission

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(2)**

It is hereby requested that the above-identified application be withdrawn from issue, the Issue Fee having been paid on August 15, 2005. Withdrawal is necessary so that the request for continued examination (RCE) in compliance with 37 CFR 1.114, and accompanying Information Disclosure Statement, both of which are submitted concurrently herewith, can be considered. It is submitted that providing an opportunity for the document referenced in the Information Disclosure Statement to be made of record constitutes good and sufficient reason why withdrawal of this application from issue is necessary.

The Petition and attached associated papers are being filed by facsimile pursuant to List II (No. 11) of the "Updated Lists of Exceptions to the Centralized Delivery and Facsimile Transmission Policy for Patent Related Correspondence" dated September 19, 2005, by Joseph J.

NAIR et al  
Appl. No. 09/875,264  
November 23, 2005

Rolla, Deputy Commissioner for Patent Policy, and available through the Patent Office web site at the following address: <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/cfaxexceptions091905.pdf>.

Favorable consideration and grant of the present Petition, preferably by return facsimile to the undersigned at 703-816-4100, are requested.

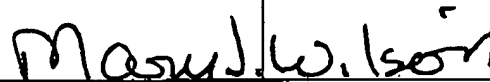
The fee required under 37 CFR 1.17(h) is submitted herewith.

It is respectfully requested that this Petition be granted.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Mary J. Wilson  
Reg. No. 32,955

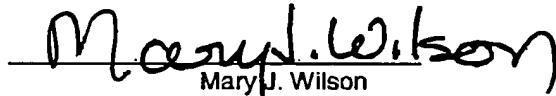
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**OFFICE OF PETITIONS****Nixon & Vanderhye PC**

ATTORNEY AT LAW

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WRITER'S DIRECT DIAL NUMBER:  
**(703) 816-4011****FACSIMILE COVER SHEET**  
**PLEASE DELIVER IMMEDIATELY!!!!**Atty Dkt.: 1579-579Date: November 23, 2005To: Mail Stop 313(c) - Special Processing SubmissionFirm: USPTOFacsimile No.: (571) 273-0025From: Mary J. WilsonNumber of Pages (including cover sheet): 19(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,  
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).Tabitha A. Trice  
**FACSIMILE OPERATOR****CERTIFICATION OF FACSIMILE TRANSMISSION**I hereby certify that this paper and any noted attachments are being facsimile transmitted to the Patent and  
Trademark Office on November 23, 2005.  
Mary J. Wilson**ATTACHMENT/S: OFFICIAL PETITION TO WITHDRAW FROM ISSUE UNDER  
37 CFR 1.313(c)(2) WITH CREDIT CARD PAYMENT FORM  
AND RCE TRANSMITTAL WITH CREDIT CARD PAYMENT  
FORM, INFORMATION DISCLOSURE STATEMENT, FORM  
PTO/SB/08a AND REFERENCE****MESSAGE:**

In re PATENT APPLICATION OF:

NAIR et al

Serial No.: 09/875,264

Filed: June 7, 2001

For: **METHODS FOR TREATING CANCERS AND PATHOGEN INFECTIONS  
USING ANTIGEN-PRESENTING CELLS LOADED WITH RNA****CONFIDENTIALITY NOTE**The documents accompanying this facsimile transmission contain information belonging to Nixon & Vanderhye, which is confidential and/or legally privileged. This  
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